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November 8, 2002

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Art Unit 1645

Re: U.S. Utility Patent Application
Appl. No. 09/903,508; Filed: July 13, 2001
For: Transformation Systems for Flavogenic Yeast
Inventors: Abbas *et al.*
Our Ref: 1533.0830003/MAC/RGM

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TECH CENTER 1600/2900

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Certificate Under 37 C.F.R. § 3.73(b);
2. Power of Attorney From Assignee; and
3. Return Postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michele A. Cimbala
Attorney for Applicants
Registration No. 33,851

MAC/RGM:krm
Enclosures
SKGF_DC1:73259.1



Certificate Under 37 C.F.R. § 3.73(b)

#12

Applicants/Patent Owner: (1) Charles Abbas (2) Andrii Y. Voronovsky (3) Liubov R. Fayura (4) Barbara V. Kshanovska (5) Kostiantyn V. Dmytruk (6) Kateryna A. Sibirna (7) Andrii A. Sibirny

Application No./Patent No.: 09/903,508 Filed/Issue Date: July 13, 2001

Entitled: Transformation Systems for Flavinogenic Yeast

Archer-Daniels-Midland Company, a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest, or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☒ An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 012953, Frame 0546, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

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☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE:] A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Signature: 

Name: David J. Smith, Esquire

Title: Senior Vice President, Secretary and General Counsel

Date: 10/31/02

ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) or equivalent and other good and valuable consideration paid to each of the undersigned inventor(s): Charles Abbas, Andrii Y. Voronovsky, Liubov R. Fayura, Barbara V. Kshanovska, Kostiantyn V. Dmytruk, Kateryna A. Sibirna, Andrii A. Sibirny, the undersigned inventor(s) hereby sell(s) and assign(s) to Archer-Daniels-Midland-Company (the Assignee) his/her entire right, title and interest, including the right to sue for past infringement and to collect for all past, present and future damages:

check applicable box(es)

- ☒ for the United States of America (as defined in 35 U.S.C. § 100),
☒ and throughout the world,

(a) in the invention(s) known as Transformation Systems for Flavinogenic Yeast for which application(s) for patent in the United States of America has (have) been executed by the undersigned on (1) and (2) April 29, 2002 and (3-7) April 4, 2002 (also known as United States Application No. 09/903,508, filed July 13, 2001), in any and all applications thereon, in any and all Letters Patent(s) therefor, and

(b) in any and all applications that claim the benefit of the patent application listed above in part (a), including continuing applications, reissues, extensions, renewals and reexaminations of the patent application or Letters Patent therefor listed above in part (a), to the full extent of the term or terms for which Letters Patents issue, and

(c) in any and all inventions described in the patent application listed above in part (a), and in any and all forms of intellectual and industrial property protection derivable from such patent application, and that are derivable from any and all continuing applications, reissues, extensions, renewals and reexaminations of such patent application, including, without limitation, patents, applications, utility models, inventor's certificates, and designs together with the right to file applications therefor; and including the right to claim the same priority rights from any previously filed applications under the International Agreement for the Protection of Industrial Property, or any other international agreement, or the domestic laws of the country in which any such application is filed, as may be applicable;

all such rights, title and interest to be held and enjoyed by the above-named Assignee, its successors, legal representatives and assigns to the same extent as all such rights, title and interest would have been held and enjoyed by the Assignor had this assignment and sale not been made.

The undersigned inventor(s) agree(s) to execute all papers necessary in connection with the application(s) and any continuing (continuation, divisional, or continuation-in-part), reissue, reexamination or corresponding application(s) thereof and also to execute separate assignments in connection with such application(s) as the Assignee may deem necessary or expedient.

The undersigned inventor(s) agree(s) to execute all papers necessary in connection with any interference or patent enforcement action (judicial or otherwise) related to the application(s) or any continuing (continuation, divisional, or continuation-in-part), reissue or reexamination application(s) thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference or patent enforcement action.



POWER OF ATTORNEY FROM ASSIGNEE

Archer-Daniels-Midland-Company, a corporation of Delaware, having a principal place of business at 4666 Faries Parkway, Decatur, Illinois 62526, is assignee of the entire right, title and interest for the United States of America (as defined in 35 U.S.C. § 100), by reason of an Assignment to the Assignee executed on (1 and 2) April 29, 2002 (3-7) April 10, 2002 of an invention known as Transformation Systems for Flavinogenic Yeast (Attorney Docket No. 1533.0830003/MAC/RGM), which is disclosed and claimed in a patent application of the same title by the inventor(s) (1) Charles Abbas (2) Andrii Y. Voronovsky (3) Liubov R. Fayura (4) Barbara V. Kshanovska (5) Kostiantyn V. Dmytruk (6) Kateryna A. Sibirna (7) Andrii A. Sibirny (said application filed on July 13, 2001 at the U.S. Patent and Trademark Office, having Application Number 09/903,508).

The Assignee hereby appoint the U.S. attorneys associated with **CUSTOMER NUMBER 28393** to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith, such attorneys currently being: Robert Greene Sterne, Esq., Reg. No. 28,912; Edward J. Kessler, Esq., Reg. No. 25,688; Jorge A. Goldstein, Esq., Reg. No. 29,021; David K.S. Cornwell, Esq., Reg. No. 31,944; Robert W. Esmond, Esq., Reg. No. 32,893; Tracy-Gene G. Durkin, Esq., Reg. No. 32,831; Michele A. Cimbala, Esq., Reg. No. 33,851; Michael B. Ray, Esq., Reg. No. 33,997; Robert E. Sokohl, Esq., Reg. No. 36,013; Eric K. Steffe, Esq., Reg. No. 36,688; Michael Q. Lee, Esq., Reg. No. 35,239; Steven R. Ludwig, Esq., Reg. No. 36,203; John M. Covert, Esq., Reg. No. 38,759; Linda E. Alcorn, Esq., Reg. No. 39,588; Lawrence B. Bugaisky, Esq., Reg. No. 35,086; Donald J. Featherstone, Esq., Reg. No. 33,876; and Robert C. Millonig, Esq., Reg. No. 34,395. The Assignee hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

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FOR: Archer-Daniels-Midland Company

RP
11/29/02
SIGNATURE: [Signature]

BY: David J. Smith, Esquire

TITLE: Senior Vice President, Secretary and General Counsel

DATE: 10/31/02

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